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7	fka Countrywide Home Loans Servicing L.P. 09-77478	
8	UNITED STATES BANKRUPTCY COURT	
9	DISTRICT OF NEVADA	
10	In Re:	BK-S-09-21090 BAM
11	JOSE ROBERTO MARTINEZ	Date: <u>January 7, 2010</u>
12		Time: <u>1:30 p.m.</u>
13	Debtor.	Chapter 13
14		
15	SUPPLEMENTAL OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN	
16	COMES NOW, BAC Home Loans Servicing, L.P. fka Countrywide Home Loans Servicing L.P.	
17	(Hereinaster "Secured Creditor") and files this Supplemental Objection to Confirmation of Chapter 13	
18	Plan stating as follows:	
19	Secured Creditor is the first deed of trust holder on 337 Oakford Street, Las Vegas, Nevada,	
20	89110 (hereinafter "subject property"), and is owed over \$184,000.00. The Debtor has filed a motion	
21	to value to reduce Secured Creditor's lien to \$95,041.00. Secured Creditor has filed an opposition to	
22	Debtor's motion to value – said opposition is incorporated herein by reference. The Debtor's plan	
23	should not be confirmed until after the Court reaches a decision on the motion to value.	
24	Moreover, Secured Creditor asserts that this Court should not confirm the proposed plan	
25	because 1) there is a complete lack of disclosure by the Debtor as detailed below, and 2) it is not	
26	feasible.	
	 	

A. Lack of Disclosure

Secured Creditor's opposition to Debtor's motion to value demonstrates that there are too many unanswered questions in the Debtor's attempt to treat the subject property as a rental and strip a large portion of Secured Creditor's interest in the same. The Debtor does not disclose the information necessary to answer these questions and fails to prove he is being truthful with the Court. Until the Debtor can come before this Court with more information, the Court should not confirm this plan.

B. Lack of Feasibility

The Debtor does not have sufficient income to meet his plan requirements as can be seen in a simple review of his Schedule "I" and looking at the proposed plan. Further, the Debtor does not budget for taxes and upkeep of the alleged rental property in their schedule "J".

Until the Debtor can come before this Court with more information or income to properly fund a plan, the Court should not confirm this plan. It does not have a reasonable likelihood of success.

WHEREFORE, Secured Creditor asks that this Court deny confirmation and dismiss this case.

DATED this 4 day of January 2010

WILDE & ASSOCIATES

GREGORY L. WILDE, ESQ.

Attorneys for Secured Creditor

208 South Jones Boulevard Las Vegas, Nevada 89107

Certificate of Facsimile

I certify that on January 4, 2010, I served a copy of the foregoing opposition on Debtors'

Counsel by facsimile as follows:

Jorge L. Sanchez, Esq. Sanchez Law Group, Ltd. Fax No. (702) 537-2800